

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Divisional Patent Application Of  
Kenneth Kiron and Kevin S. Bander

Application No.: 09/140,868

Filed: August 27, 1998

For: Open End Mutual Fund Securitization Process

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)  
) Examiner: S. Tkacs  
)  
) Group Art Unit: 2761  
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TERMINAL DISCLAIMER

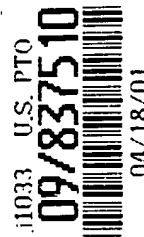
Box Fee Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Edward L. Bishop, represent that I am an attorney of record for this Application. The present owner of the entire interest in this Application is Mopex, Inc. ("Disclaimant"), an Illinois corporation, having its principal place of business at 309 West 57<sup>th</sup> Street, No. 1707, New York, New York 10019. Disclaimant is also the sole owner of related parent application, U.S. Patent Application No. 542,431 filed on October 12, 1995 which issued September 8, 1998 as U.S. Patent No. 5,806,048. The Assignment to Disclaimant was duly recorded on July 17, 1997, in the PTO at Reel 8626, Frame 0928.

In Response to the Office Action mailed March 2, 1999, Disclaimant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant Application, which would extend beyond the expiration date of the full statutory term, as defined in 35 U.S.C. §§ 154 to 156, of prior Application Number 542,431 filed on October 12, 1995 which issued September 8, 1998 as U.S. Patent No. 5,806,048. The Disclaimant hereby agrees that any patent so granted on the instant Application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant Application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Disclaimant does not disclaim the terminal part of any patent granted on the instant Application that would extend to the expiration date of the full



statutory term as defined in 35 U.S.C. §§ 154 to 156 of the prior patent, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The present disclaimer is accompanied by the statutory fee of \$55.00, as set forth in 37 C.F.R. § 1.20(d). Please charge any additional fees to our Deposit Account No. 23-0280.

Respectfully submitted,

Date: 9/2/99

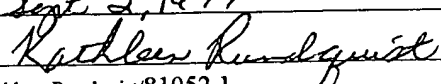
By: 

Edward L. Bishop, Reg. No. 39,110  
WALLENSTEIN & WAGNER, LTD.  
311 South Wacker Drive, 53<sup>rd</sup> Floor  
Chicago, Illinois 60606-6622  
312.554.3300  
Attorneys for Applicant

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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Fee Amendment, Assistant Commissioner For Patents, Washington, D.C. 20231 on

Sept. 2, 1999  
  
Kathleen Rundquist/81052.1